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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/633,692

08/05/2003

Jozsef Varga

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EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT

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2457

MAIL DATE

DELIVERY MODE

10/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/633,692	Applicant(s) VARGA ET AL.	
	Examiner Salad Abdullahi	Art Unit 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/25/08; 8/13/08 & 5/27/08</u> . | 6) <input type="checkbox"/> Other: _____ |

Response

1. The response filed on 8/13/2008 has been received and made of record.
2. Applicant's arguments with respect to claims 1-17 and 19-39 have been fully considered but are not persuasive for the following reasons

Applicants respectfully submit that Chaney fails to disclose, teach, or suggest, all of the elements of the present claims. For example, Chaney fails to disclose, teach, or suggest, at least, *"receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in a device serving the second user," ",forwarding the received service request from the device to an application server to process the service request," and "first determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped,"* as recited in independent claim 1, and similarly recited in independent claims 19, 21, and 23".

Examiner respectfully disagrees, because Chaney discloses *"receiving a service request according to a session initiation protocol, initiated by a first user(A-11) and terminated at a second user(B-12) , in a device (P-CSCF 26) serving the second user," ,forwarding the received service request from the device to an application server (PIM SERVER 25) to process the service request," and "first determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped (see figs. 1, 3 and 4 and col. 5, lines 20-65).*

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17 and 19-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaney U. S. Patent No. 6,947,724[hereinafter Chaney].

As per claim 1, Chaney discloses a method, comprising the steps of:

receiving a service request according to a session initiation protocol, initiated by a first user (TER-B), and terminated at a second user (TER-A) in a device(S-CSCF 15) serving the second user (TER-A)(see figs. 1 and 4 and col. 3, line 55 to col. 4, line 31 and col. 5, lines 20-41);

forwarding the received service request from the device to an application server(HSS 16) to process the service request(see figs 1,4 col. 5, lines 30-42);

receiving in the device a processing result of the processed service request from the application server (see fig. 3 and col. 6, lines 10-52); and

first determining, in the device based on the received processing result, whether a service request processing of the service request in the device(see col. 5, lines 43-65).

Art Unit: 2457

As per claim 2-4, Chaney discloses the method according to claim 1, wherein the first determining step further comprises the steps of:

checking whether the processing result received from the application server includes an indication for stopping the service request processing for the second user, and when the indication is present, stopping the service request processing for the second user (see fig. 3 and col. 6, lines 10-52 and col. 7, lines 20-67);

As per claim 5, Chaney discloses the method according to claim 1, further comprising including destination identifiers in the service request forwarded to the processing unit and the processing result received from the processing unit, the first determining step further comprising the steps of:

comparing the destination identifiers of the service request forwarded to the processing unit and the processing result received from the processing unit, and stopping the service request processing for the second user when the compared destinations identifiers are different (see col. 7, lines 20-67).

As per claim 6, Chaney discloses the method according to claim 1, further comprising the step of: second determining, based on the received processing result, whether to forward the service request to a third user (see figs and 4 which could obviously be utilized with more two users)(col. 6, lines 10-52 and col. 7, lines 20-67).

As per claims 7-11, Chaney discloses the method according to claim 6, further comprising the steps of including destination identifiers within the service request

Art Unit: 2457

forwarded to the processing unit and the processing result received from the processing unit; the second determining step further comprising the steps of:

comparing the destination identifiers of the service request forwarded to the processing unit and the processing result received from the Application server (see page 5, line 66 to col. 6, line 8);and

switching to originating mode and forwarding the service request based on the destination identifier included in the processing result when a determination is made that the compared destination identifiers are different (see page 5, line 66 to col. 6, line 8).

4. As per claims 12-17 and 19-39, the claims include features similar to claims 1-11, thus claims 12-17 and 19-39are rejected same rational as claims 1-11.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2457

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Salad Abdullahi/
Primary Examiner, Art Unit 2157